IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 11TH DECEMBER 2006 / 20TH AGRAHAYANA 1928

Crl.MC.No. 4011 of 2006()

CRMP.4313/2006 of JUDL. MAGISTRATE OF FIRST CLASS COURT-I, PALAKKAD

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PETITIONER: COMPLAINANT

MURALI NARAYANA MENON, AGED 53 YEARS,
VISALA MANDIRA, KUNNATHURMEDU,
PALAKKAD.

BY ADV. SRI.JACOB SEBASTIAN

RESPONDENTS: STATE AND ACCUSED

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1. STATE OF KERALA, REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

2. VENU @ MURALI MOHAN, AGED 40 YEARS, MILMA AGENT,
NEAR CPM PARTY OFFICE, COLLEGE ROAD, PALAKKAD.

3. DEEPU, AGED ABOUT 35 YEARS, PARTNER, VIDEO VISION,
LAKSHMI COMPLEX, 100 FEET ROAD, PUTHUR, PALAKKAD.

BY PUBLIC PROSECUTOR SRI.K.A.AKBAR

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 11/12/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J.

Crl.M.C.NO.4011 OF 2006

Dated this the 11th day of December, 2006.

ORDER

The grievance of the petitioner is that no orders have been passed on the application filed by him before the learned Judicial First Class Magistrate-I, Palakkad as Crl.M.P.No.4313 of 2006, a copy of which is produced as Annexure-2. He has filed a private complaint, a copy of which is produced as Annexure-1, and along with that private complaint, Annexure-2 petition has also been filed. The grievance of the petitioner is that while the private complaint filed on 06.12.2006 is posted to 18.12.2006, Crl.M.P (Annexure-2) for search of the premises to trace his motor cycle which he is robbed of, stands posted to 20.12.2006. The submission of the learned counsel for the petitioner is that the learned Magistrate has not imbibed the sense of expedition which must inform him while considering an application like Annexure-2, which has been filed before him.

2. I do not intend to express any opinion on the entitlement of the petitioner for the relief claimed in Annexure-2. But I am in agreement with the learned counsel for the petitioner that Annexure-2 petition deserves to be considered

expeditiously. The learned Magistrate, I direct, must consider Annexure-2 application as expeditiously as possible by advancing the hearing if necessary.

3. Hand over a copy of this order to the learned counsel for the petitioner today itself.

R.BASANT
JUDGE

rtr/